



In the Court of Additional Commissioner, Jammu
(With the powers of Divisional Commissioner)
(Rail Head Complex, Jammu)

(0191-2478991, 2478999, Fax-2478997, e-mail: divcomjammu@gmail.com)

File No

Date of Institution
17.03.2021

Date of Decision
31/03/2022

1. Soraj Bala age 45 Years WO Sh. Puran Singh R/O Village Potha Tehsil Noweshra District Rajouri.

Petitioner.....

Versus

1. Commissioner / Secretary Government Forest Department Civil Sectt. Srinagar.
2. Deputy Commissioner Rajouri.
3. Sub-Divisional Magistrate, Noweshra,
4. Tehsildar Noweshra.
5. Dulbir Singh S/o Puran Singh R/o Vill.Potha Tehsil Noweshra, District Rajouri.

Respondents....

IN THE MATTER OF:

Petition for directing the official respondents to evict the private respondent No. 5 from the state land and forest land bearing Khasra Nos. 505, 506, 678/Min, 675, 678, and 648 which is in illegal occupation of respondent No 5.

Petition for / directing the respondents to dispose of the representation and legal notice dated 09.07.2019 given by the petitioner to the official respondents, with a further direction to the respondent No 1- 4 to prohibit the private respondent No. 5 from encroaching upon the land of the petitioner bearing Kh. No. 531 Min, measuring one Kanal situated at village Potha Tehsil Nowshera, District Rajouri, adjacent to the Kh. Nos. 505, 506, 678,/Min, 675, 678 and 648 which is in illegal occupation of respondent No 5.

Any other order or direction which this Hon'ble court may deem fit may kindly be granted in favour of the petitioner.

ORDER

The present petition came up for hearing today on 31.03.2022. None present from either side. From perusal of the file, it has been observed that nobody is appearing since last four hearings and today also the petitioner has chosen to remain absent, from which it is inferred that the petitioner has lost interest to prosecute this case and further hearings in the matter would result in wastage of the precious time of Court. Examination of the case file reveals that the petition has been filed for directing the official respondents to evict the

Te.

private respondent No. 5 who has allegedly encroached the State land and forest land bearing Khasra Nos. 505, 506, 678/Min, 675, 678. Since interest of state is involved in the instant matter, it would not be appropriate to simply dismiss the petition in default as the matter has to be proceeded in terms of section 133 of Land Revenue Act 1939 / under relevant rules, in this regard, if the allegations are true, for which Deputy Commissioner concerned shall take necessary steps after verifying record and spot position. As such the case is disposed of with the directions to Deputy Commissioner Rajouri to proceed strictly in terms of relevant rules governing the subject. Paper book of case file as well the order be sent to Deputy Commissioner Rajouri who shall submit Action Taken report within six weeks positively. The interim/stay order issued by this court, if any, shall stand vacated. The case file be consigned to records after due completion but after waiting for the statutory period of 30 days fixed for restoration.

Announced
31/03/2022


(Pawan Kumar Sharma) KAS
Additional Commissioner, Jammu
[with the powers of Divisional Commissioner]